



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/062,979 | 01/31/2002 | John J. Daly | 400200 | 2840 |
| 27717 | 7590 | 03/17/2005 | EXAMINER | |
| SEYFARTH SHAW 55 EAST MONROE STREET SUITE 4200 CHICAGO, IL 60603-5803 | | | LE, THANH TAM T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2839 | |

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/062,979 | DALY ET AL. |
| | Examiner | Art Unit |
| | Thanh-Tam T. Le | 2839 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 January 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-5, 7-21 and 23-27 is/are rejected.

7) Claim(s) 6 and 22 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. _____
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-21 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (6,558,191).

Regarding claims 1, 21, 23, 25 and 27, Bright et al., figures 1-2 and 6, disclose a multi-port receptacle comprising:

a housing defining at least two ports (12a), each port comprising:

a first end defining an opening for receiving a module (20);

a second end defining a wall;

a passageway formed between the first and the second ends;

a base (22) having a cut-out portion (46) adjacent to the second end and the base having a plurality of mounting pins (23) protruding from the base for mounting the base to a mother board (10);

the housing attached to the base; and

an electrical connector (14), mountable within the second end, disposed within the cut-out portion of the base so that upon mounting of the multi-port receptacle to a mother board (10), the electrical connector is collinear with the passageway.

Bright et al. disclose the instant claimed invention as described above except for a monolithic housing.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Bright et al. to have a monolithic housing, since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893), in order to easy assembly.

Regarding claim 2, figure 1, the base is formed by a plate extending and enclosing approximately an entire side of the housing.

Regarding claims 3 and 26, the base including first mounting features (27) for latching to corresponding second mounting features (28) of the housing.

Regarding claim 4, Bright et al. disclose the instant claimed invention as described above except for the housing injection molded of plastic. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Bright et al. to have the housing injection molded of plastic, since it has been held that the provision of adjustability, where needed, involves only routine skill in the art. *In re Stevens*, 101 USPQ 284 (CCPA 1954) for better connection.

Regarding claim 5, the base is formed of a metal plate.

Regarding claim 7, the base including a ejection spring support (23) at the second end having the cut-out portion formed therein.

Regarding claim 8, the contacts of the electrical connector are generally coplanar with the cut-out portion and a major surface (24) of the base.

Regarding claim 9, the ejection spring support including ground tabs protruding into the passageway of the port.

Regarding claims 10 and 11, the housing is metalized and plated.

Regarding claim 12, the base is segment and a group of at least six first mounting features (27) forming a perimeter of each segment and a plurality of second mounting features (28) of the housing corresponding to the first mounting features.

Regarding claim 24, Bright et al. disclose the instant claimed invention as described above except for the receptacle only having $2+n$ parts, wherein n is the number of ports. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Bright et al. to have the receptacle only having $2+n$ parts, wherein n is the number of ports, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980) since such change solves no stated problem.

Regarding claims 13-20, the features in the method claims are identical to those in the apparatus claims. Therefore, the method of assembling a multi-port receptacle alone is not a patentable features.

Allowable Subject Matter

3. Claims 6 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is an examiner's statement of reasons for allowance:

None of the reference discloses the ports including a first mounting guide and the electrical connector including a second mounting guide, in combination with the other claimed elements of the embodiments recited.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

6. Applicant's arguments with respect to claims 1, 13 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

8. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL
03/14/05.



T. Le